

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

**JOY ALCHIN, AKA JOY CHUTIMON,
AKA TECHATRAISAK ALCHIN**
221 W. Walnut Avenue
Lompoc, CA 93436

Registered Nurse License No. **678211**

Respondent

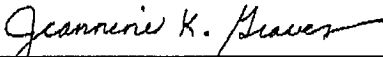
Case No. 2011-281

DECISION AND ORDER

The attached Stipulated Settlement for Public Reprimand is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **February 22, 2011.**

IT IS SO ORDERED **February 22, 2011.**



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 EDMUND G. BROWN JR.
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
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7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2011-281

13 **JOY ALCHIN, AKA JOY CHUTIMON,**
14 **AKA TECHATRAISAK ALCHIN**
221 W. Walnut Avenue
Lompoc, CA 93436
Registered Nurse License No. 678211

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR
PUBLIC REPRIMAND**

15 Respondent.

16
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
18 entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Interim Executive Officer of the
21 Board of Registered Nursing. She brought this action solely in her official capacity and is
22 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,
23 by Michael Brown, Deputy Attorney General.

24 2. Respondent Joy Alchin, aka Joy Chutimon, aka Techatraisak Alchin (Respondent) is
25 representing herself in this proceeding and has chosen not to exercise her right to be represented
26 by counsel.

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1 3. On or about April 24, 2006, the Board of Registered Nursing issued Registered Nurse
2 License No. 678211 to Joy Alchin, aka Joy Chutimon, aka Techatraisak Alchin (Respondent).
3 The Registered Nurse License was in full force and effect at all times relevant to the charges
4 brought in Accusation No. 2011-281 and will expire on November 30, 2011, unless renewed.

5 **JURISDICTION**

6 4. Accusation No. 2011-281 was filed before the Board of Registered Nursing (Board),
7 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation
8 and all other statutorily required documents were properly served on Respondent on October 1,
9 2010. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of
10 Accusation No. 2011-281 is attached as exhibit A and incorporated herein by reference.

11 **ADVISEMENT AND WAIVERS**

12 5. Respondent has carefully read, and understands the charges and allegations in
13 Accusation No. 2011-281. Respondent has also carefully read, and understands the effects of this
14 Stipulated Settlement and Disciplinary Order for Public Reprimand.

15 6. Respondent is fully aware of her legal rights in this matter, including the right to a
16 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at
17 her own expense; the right to confront and cross-examine the witnesses against her; the right to
18 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
19 compel the attendance of witnesses and the production of documents; the right to reconsideration
20 and court review of an adverse decision; and all other rights accorded by the California
21 Administrative Procedure Act and other applicable laws.

22 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
23 every right set forth above.

24 **CULPABILITY**

25 8. Respondent admits the truth of each and every charge and allegation in Accusation
26 No. 2011-281 of unprofessional conduct under Business and Professions Code section 2761
27 regarding failure to follow Lompoc Valley Medical Center's policy by securing a patient in a
28 dining room.

1 9. Respondent agrees that her Registered Nurse License is subject to discipline and she
2 agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order
3 for Public Reprimand below.

4 **CIRCUMSTANCES IN MITIGATION**

5 10. Respondent has never been the subject of any disciplinary action. She is admitting
6 responsibility for not following Lompoc Valley Medical Center's policy by securing a patient in a
7 dining room. The Accusation is grounded on a single incident of unprofessional conduct
8 occurring in 2008. The circumstances of the incident were that on or about May 20, 2008,
9 Respondent, while on duty as a nurse at Lompoc Valley Medical Center, secured a patient in a
10 dining room without following facility policy. Respondent secured the two separate dining room
11 entry/exit doors from opening by parking two medication carts, one in front of each door; both
12 with their brakes engaged. This prevented patient from opening the doors and leaving the dining
13 room on his own. Respondent then left the immediate area.

14 Since the 2008 incident, Respondent has received a good employee evaluation from
15 her present employer. Respondent was given a good evaluation in all clinical practice areas,
16 including demonstrating good job knowledge, professionalism performance, participation
17 productivity judgment and initiative attendance documentation independence adherence to policy.

18 **CONTINGENCY**

19 11. This stipulation shall be subject to approval by the Board. Respondent understands
20 and agrees that counsel for Complainant and the staff of the Board may communicate directly
21 with the Board regarding this stipulation and settlement, without notice to or participation by
22 Respondent. By signing the stipulation, Respondent understands and agrees that she may not
23 withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers
24 and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the
25 Stipulated Settlement and Disciplinary Order for Public Reprimand shall be of no force or effect,
26 except for this paragraph, it shall be inadmissible in any legal action between the parties, and the
27 Board shall not be disqualified from further action by having considered this matter.

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1 12. The parties understand and agree that facsimile copies of this Stipulated Settlement
2 and Disciplinary Order for Public Reprimand, including facsimile signatures thereto, shall have
3 the same force and effect as the originals.

4 13. This Stipulated Settlement and Disciplinary Order for Public Reprimand is intended
5 by the parties to be an integrated writing representing the complete, final, and exclusive
6 embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements,
7 understandings, discussions, negotiations, and commitments (written or oral). This Stipulated
8 Settlement and Disciplinary Order for Public Reprimand may not be altered, amended, modified,
9 supplemented, or otherwise changed except by a writing executed by an authorized representative
10 of each of the parties.

11 14. In consideration of the foregoing admissions and stipulations, the parties agree that
12 the Board may, without further notice or formal proceeding, issue and enter the following
13 Disciplinary Order for Public Reprimand:

14 **DISCIPLINARY ORDER**

15 IT IS HEREBY ORDERED that Registered Nurse License No. 678211 issued to
16 Respondent Joy Alchin, aka Joy Chutimon, aka Techatraisak Alchin (Respondent) shall, by way
17 of letter from the Board's Interim Executive Officer, be publicly reprimanded. Said letter shall be
18 in substantially the same form as the letter attached as Exhibit B hereto.

19 **Cost Recovery.** Respondent shall pay to the Board costs associated with its investigation
20 and enforcement pursuant to Business and Professions Code section 125.3 in the amount of
21 \$3,400.00. Respondent shall be permitted to pay these costs in a payment plan approved by the
22 Board.

23 **ACCEPTANCE**

24 I have carefully read the above Stipulated Settlement and Disciplinary Order for Public
25 Reprimand. I understand the stipulation and the effect it will have on my Registered Nurse
26 License. I enter into this Stipulated Settlement and Disciplinary Order for Public Reprimand
27 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
28 Board of Registered Nursing.

1
2 DATED:

12-10-10

Joy Alchin

JOY ALCHIN, AKA JOY CHUTIMON, AKA
TECHATRAISAK ALCHIN
Respondent

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6 ENDORSEMENT

7 The foregoing Stipulated Settlement and Disciplinary Order for Public Reprimand is hereby
8 respectfully submitted for consideration by the Board of Registered Nursing of the Department of
9 Consumer Affairs.

10 Dated:

12/24/2010

Respectfully Submitted,

EDMUND G. BROWN JR.
Attorney General of California
GLORIA A. BARRIOS
Supervising Deputy Attorney General

Michael Brown

MICHAEL BROWN
Deputy Attorney General
Attorneys for Complainant

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EXHIBIT A

EDMUND G. BROWN JR.
Attorney General of California
GLORIA A. BARRIOS
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Attorneys for Complainant

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No.

2011-281

JOY ALCHIN, AKA JOY CHUTIMON,
AKA TECHATRAISAK ALCHIN
221 W. Walnut Avenue
Lompoc, CA 93436
Registered Nurse License No. 678211

ACCUSATION

Respondent.

Complainant alleges:

PARTIES

1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs.

2. On or about April 24, 2006, the Board of Registered Nursing issued Registered Nurse License Number 678211 to Joy Alchin, aka Joy Chutimon, aka Techatraitsak Alchin (Respondent). The Registered Nurse License was in full force and effect at all times relevant to the charges brought herein and will expire on November 30, 2011, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

6. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, . . .

7. Section 118, subdivision (b), of the Code provides that the suspension/expiration/surrender/cancellation of a license shall not deprive the Board/Registrar/Director of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

8. Section 125.3 of the Code provides, in pertinent part, that the Board/Registrar/Director may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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1 CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct)

3 9. Respondent is subject to disciplinary action under section 2761, subdivision (a), for
4 unprofessional conduct. The circumstances are as follows:

5 a. On or about May 20, 2008, Respondent, while on duty as a nurse at Lompoc Valley
6 Medical Center, secured a patient in a dining room without following facility policy.
7 Respondent secured the two separate dining room entry/exit doors from opening by parking two
8 medication carts, one in front of each door; both with their brakes engaged. This prevented
9 patient from opening the doors and leaving the dining room on his own. Respondent then left the
10 immediate area.

11 PRAYER

12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
13 and that following the hearing, the Board of Registered Nursing issue a decision:

14 1. Revoking or suspending Registered Nurse License Number 678211, issued to Joy
15 Alchin, aka Joy Chutimon, aka Techatraisak Alchin;

16 2. Ordering Joy Alchin to pay the Board of Registered Nursing the reasonable costs of
17 the investigation and enforcement of this case, pursuant to Business and Professions Code section
18 125.3;

19 3. Taking such other and further action as deemed necessary and proper.
20
21

22 DATED: 10/1/10

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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EXHIBIT B



February 22, 2011

Joy Alchin
221 W. Walnut Avenue
Lompoc, CA 93436

RE: PUBLIC REPRIMAND
In the Matter of the Accusation Against:
JOY ALCHIN
Board of Registered Nursing Case No. 2011-281

Dear Ms. Alchin:

On October 1, 2010, the Board of Registered Nursing, Department of Consumer Affairs, State of California, filed an Accusation against your license to practice as a registered nurse, alleging unprofessional conduct under Business and Professions Code section 2761(a) regarding failure to follow Lompoc Valley Medical Center's policy by securing a patient in a dining room.

Taking into consideration the fact that you have been licensed by the Board since 2006 without any prior disciplinary action, and that there are other mitigating circumstances in this case which support the determination that you are safe to practice registered nursing, the Board has decided that the charge warrants a public reprimand.

Accordingly, pursuant to the authority provided under section 495 of the Business and Profession Code, and in resolution of this matter, the Board of Registered Nursing hereby issues this letter of public reprimand.

Sincerely,

Louise R. Bailey M.Ed., RN

LOUISE R. BAILEY, M.ED., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California

cc: Michael Brown, Deputy Attorney General